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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA
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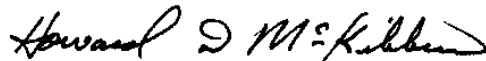
15 LAWRENCE PIERSON, and DORENA) 2:08-cv-00575-HDM-PAL
16 PIERSON,)
17 Plaintiffs,)
18 vs.) ORDER
19 PROCTOR SILEX, INC.,)
20 Defendant.)

21 The court has considered the original report and
22 recommendation of the United States Magistrate Judge (#14) filed on
23 August 5, 2008, in which the magistrate judge recommended the court
24 dismiss this action without prejudice for failure to prosecute and
25 failure to obey court orders. The defendant filed objections
26 (#15), which this court construed as a motion for partial
27 reconsideration of the report and recommendation, arguing the
28 dismissal should be with prejudice. The plaintiffs failed to file

1 any objections to the magistrate judge's original report and
2 recommendation or file any response to the defendant's objections.
3 On October 9, 2008, the magistrate judge supplemented the report
4 and recommendation of August 5, 2008, and recommended that this
5 action be dismissed with prejudice (#17). No objections to the
6 supplemental report and recommendation have been filed and the time
7 for filing any objections has expired. The court has considered
8 the pleadings and memoranda of the parties and other relevant
9 matters of record and has made a review and determination in
10 accordance with the requirements of 28 U.S.C. § 636 and applicable
11 case law, and good cause appearing, the court hereby orders that
12 this action is DISMISSED WITH PREJUDICE.

13 **IT IS SO ORDERED.**

14 DATED: This 28th day of October, 2008.

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17 UNITED STATES DISTRICT JUDGE
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